

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

JEFFERY J. LOUT,

Plaintiff,

vs.

ROXANNE TUSS, et al.,

Defendants.

CV 15-00055-H-DLC-JTJ

ORDER

Defendants Thomas Wilson, Terrie Stefalo, Cherie Bilodeau, and Leroy Kirkegard filed a motion for a second extension of the deadline for them to file pretrial motions, with a coordinating extension of the remaining deadlines under the current Scheduling Order. (Doc. 103.) Defendants request an additional four-day extension to file pretrial motions on Count X. Defendants represent that Mr. Lout does not oppose the request for an extension.

In light of the short extension requested and the parties' agreement to the extension, IT IS HEREBY ORDERED THAT:

1. Defendants' Second Unopposed Motion to Extend Pretrial Motion Deadline (Count X) (Doc. 103) is GRANTED.

2. The following schedule shall apply to all further proceedings and will not be modified except by leave of the Court upon a showing of good cause and

only if a request is made before the expiration of the deadline at issue. *See* Fed. R. Civ. P. 6(b).

a. All pretrial motions with supporting briefs shall be filed and served on or before **May 2, 2017**. Briefing shall be in accordance with Rule 7 of the Local Rules of the United States District Court for the District of Montana. Rule 7 provides that responses to motions to dismiss, for judgment on the pleadings, or for summary judgment must be filed within 21 days after the motion was filed, and responses to all other motions must be filed within 14 days after the motion was filed. L.R. 7.1(d)(1).

With the service copy of each motion, Defendants must provide Mr. Lout with a copy of the Court's Notice of Electronic Filing so Mr. Lout is aware of the actual filing date for each motion. Mr. Lout will be allowed an additional three days for mailing to be counted after the time period expires to file his response.

b. If no dispositive motions are filed on or before the motion deadline, defense counsel must assume responsibility for convening a conference of all parties for the purpose of preparing a Proposed Final Pretrial Order. Counsel shall ensure that all tasks are accomplished as set forth in the Attachment to the Court's August 1, 2016 Scheduling Order (Doc. 49-1) on or before **May 29, 2017**. A Final Pretrial Conference and trial date will then be set by further Order of the

Court.

3. At all times during the pendency of this action, Mr. Lout must immediately advise the Court and opposing counsel of any change of address and its effective date. Failure to file a notice of change of address may result in the dismissal of the action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

DATED this 1st day of May 2017.

/s/ John Johnston  
John Johnston  
United States Magistrate Judge